

United States District Court  
District of Massachusetts  
1 Courthouse Way  
Suite 2300  
Boston, MA. 02210

ATTN: Sarah A. Thornton  
Clerk of the Court  
Financial Section

RE: Jack C. Chilingirian v. David L. Winn  
Civil File No. 05-cv-10005-RCL  
Notice of Appeal

FILED  
CLERKS OFFICE  
2006 APR 25 P 2:10  
U.S. DISTRICT COURT  
DISTRICT OF MASS.

Dear Ms. Thornton:

On April 17, 2006, a family member forwarded the original and three copies of the Notice of Appeal which I requested to be filed in reference to the above captioned case. A duplicate copy of the cover letter was also enclosed to be date-stamped and returned to me. The filing fees, which I believed at the time to be \$255.00 was also sent with the Notice of Appeal.

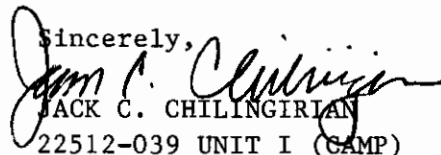
On April 19, 2006 your offices sent back to me in an envelope addressed from the Court were date-stamped copies of the Notice of Appeal and Cover Letter which my family had sent to you. Included in that envelope was the Money Order in the amount of \$255.00. **The Bureau of Prisons as identified on the face of the envelope sent back to your offices the Money Order.** They do not allow for funds not made payable to an inmate to be returned to him. Since the Money Order was made payable to the Clerk of Court-District of Massachusetts they sent it back to your offices with a yellow sheet with my name somewhere on it identifying that it was in reference to my case noted above. **(MARKED IN BLUE).**

I have sent to my family member a copy of the items included with this letter: (1) Copy of the Form Letter showing that the wrong fee amount had been sent; (2) Cover Letter dated April 17, 2006-date stamped for April 18, 2006; (3) Notice of Appeal-date stamped for April 18, 2006.

They will mail another money order for \$200.00 to your offices with each of the above items included so that you can match it up with the Money Order for \$255.00. If there are any problems with this method please advise me so that I can proceed to correct any deficiencies regarding the fees.

Thank you for your courtesy in this matter.

Sincerely,

  
JACK C. CHILINGIRIAN  
22512-039 UNIT I (CAMP)

FEDERAL MEDICAL CENTER DEVENS  
P.O. BOX 879  
AYER, MA. 01432

Encl.

cc: Paul M. Zweil

UNITED STATES DISTRICT COURT  
OFFICE OF THE CLERK  
JOHN JOSEPH MOAKLEY COURTHOUSE  
1 COURTHOUSE WAY, SUITE 2300  
BOSTON, MA 02210

OFFICIAL BUSINESS  
PENALTY FOR PRIVATE USE \$300

BOSTON MA 021

19 APR 2006 PM

047 82009302

\$100.00

04/19/2006

Mailed From 02210  
US POSTAGE

A check/money was enclosed and returned to the sender with a memorandum stating all monies are to be mailed to the following address:  
Federal Bureau Prisons  
P.O. Box 474701  
Des Moines, Iowa 50947-0001

Federal Medical Center - Devens

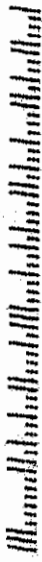
P.O. Box 879

Ayer, MA

01432

JACK C CHILINGIRIAN

22512-039 UNIT I (camp)



**United States District Court**  
**District of Massachusetts**  
1 Courthouse Way, Suite 2300  
Boston, MA 02210

Sarah A Thornton  
Clerk of Court

Financial Section  
617-748-9143

Your personal check/money order no. 0934931390 in the amount of \$ 255.00 is hereby returned to you for the following reason(s):

- ☐ Check/money order is unsigned.
- ☐ Check/money order not payable to Clerk, U.S. District Court
- ☐ Check is a starter check.
- ☐ No information provided in which to apply payment to.
- ☐ We cannot accept third party checks.
- ☐ Check/money order belongs to another court.
- ☒ Check/money order is made out for the wrong amount. The proper fee is \$ 455.00
- ☐ Other \_\_\_\_\_

*Wrong  
fee*

*AS OF  
4/09/06*

U.S. District Court  
Financial Section

\*\*\*\* I HAVE SENT THIS FORM ALONG WITH THE ENCLOSED COVER LETTER TO  
MY FAMILY FOR THE PURPOSE OF FORWARDING A MONEY ORDER FOR  
\$200.00 TO BE ADDED TO THE ONE FOR \$255.00 PREVIOUSLY SENT. \*\*\*\*

DUPLICATE COPY TO BE  
DATE-STAMPED AND RETURNED

FILED  
IN CLERKS OFFICE

April 17, 2006

2006 APR 18 P 3:36

United States District Court  
District of Massachusetts  
1 Courthouse Way  
Suite 2300  
Boston, MA. 02210  
U.S. DISTRICT COURT  
DISTRICT OF MASS.

ATTN: Clerk of the Court

RE: Jack C. Chilingirian v. David L. Winn  
Civil File No. 05-cv-10005-RCL

Dear Madam/Sir:

Enclosed please find the original and three copies of the **Notice of Appeal** to the First Circuit Court of Appeals in reference to the above noted case. A Certificate of Service is attached reflecting that a copy of this Notice of Appeal has been mailed to Jennifer C. Boal, AUSA, counsel representing the Respondent.

Due to the time constraints in obtaining funds from my commissary account at Camp Devens, the filing fees in the amount of \$255.00 is enclosed and has been sent by my family in Michigan.

A duplicate copy of this letter is enclosed to be date-stamped along with one copy of the Notice of Appeal and returned in the self-addressed postage pre-paid envelope.

Thank you for your courtesy and cooperation in this matter.

Sincerely,



JACK C. CHILINGIRIAN  
22512-039 UNIT I (CAMP)  
FEDERAL MEDICAL CENTER DEVENS  
P.O. BOX 879  
AYER, MA. 01432

Encl. Notice of Appeal/Certificate of Service

cc: Jennifer C. Boal, AUSA

FILED  
UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

2006 APR 18 P 3:36

JACK C. CHILINGIRIAN,

Petitioner,

U.S. DISTRICT COURT  
DISTRICT OF MASS.

vs.

CIVIL ACTION NO. 05-CV-10005-RCL

DAVID L. WINN, WARDEN

FEDERAL MEDICAL CENTER DEVENS,

Respondent.

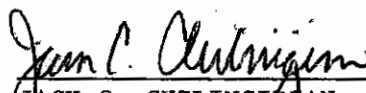
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NOTICE OF APPEAL

Notice is hereby given that JACK C. CHILINGIRIAN, Petitioner, Pro Se hereby appeals to the United States Court of Appeals for the First Circuit from the Order Denying Petitioner's Motion to Set Aside Order of Dismissal and Reinstate Cause of Action for Habeas Relief which was entered on the 22nd day of March, 2006 by the Honorable Reginald C. Lindsay, United States District Judge for the District of Massachusetts. A copy of the Order is attached. The First Circuit has jurisdiction pursuant to 28 USC §1291 because this is an appeal from a Final Order of the District Court. Pursuant to Rule 18.3 of the Rules of the United States Supreme Court the Petitioner intends to file a Petition for Writ of Certiorari before Judgment in the First Circuit Court of Appeals.

APRIL 17, 2006

RESPECTFULLY SUBMITTED,



JACK C. CHILINGIRIAN, PETITIONER  
22512-039 UNIT I (CAMP)  
FEDERAL MEDICAL CENTER DEVENS  
P.O. BOX 879  
AYER, MA. 01432

United States District Court

District of Massachusetts

Notice of Electronic Filing

The following transaction was received from Lindsay, Reginald entered on 3/22/2006 at 6:51 PM EST and filed on 3/22/2006

Case Name: Chilingirian v. Winn

Case Number: 1:05-cv-10005

Filer:

WARNING: CASE CLOSED on 10/17/2005

Document Number:

Docket Text:

Judge Reginald C. Lindsay : ORDER entered denying [25] MOTION to Set Aside Order of Dismissal And Reinstate Cause Of Action For Habeas Relief by Jack C. Chilingirian. It is futile for the court to reopen this case, because the relief sought by the petitioner on the merits is foreclosed by the decision of the United States Court of Appeals, First Circuit in Perez-Olivo v. Chavez, 394 F.3d 45, 53 (1st Cir. 2005). (Lindsay, Reginald)

The following document(s) are associated with this transaction:

1:05-cv-10005 Notice will be electronically mailed to:

Jennifer C. Boal jennifer.boal@usdoj.gov, ellen.souris@usdoj.gov;  
usama.ecf@usdoj.gov

1:05-cv-10005 Notice will not be electronically mailed to:

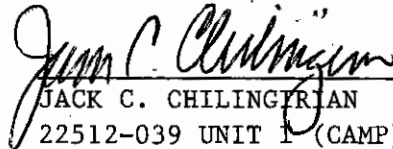
Jack C. Chilingirian  
22512-039  
Federal Medical Center Devens  
P.O. Box 879  
Ayer, MA 01432

CERTIFICATE OF SERVICE

I, JACK C. CHILINGIRIAN, Petitioner in the above captioned case  
hereby certifies that on the 17th day of April, 2006 a copy of the  
Notice of Appeal to the First Circuit Court of Appeals was sent by  
first-class mail with postage pre-paid in an envelope addressed to  
JENNIFER C. BOAL, AUSA 1 COURTHOUSE WAY SUITE 9200 BOSTON, MA. 02210

DATED: APRIL 17, 2006

RESPECTFULLY SUBMITTED,

  
\_\_\_\_\_  
JACK C. CHILINGIRIAN

22512-039 UNIT 1 (CAMP)  
FEDERAL MEDICAL CENTER DEVENS  
P.O. BOX 879  
AYER, MA. 01432